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TECH CENTER 1600/2900

DOCKET NO.: 7732-020-27 DIV

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

Re: Serial No.: 09/665,077  
Applicant(s): Michael CLIMO et al.  
Filing Date: September 19, 2000  
For: COMPOSITIONS AND METHODS FOR TREATMENT OF  
STAPHYLOCOCCAL INFECTION WHILE SUPPRESSING FORMATION  
OF ANTIBIOTIC-RESISTANT STRAINS  
Group Art Unit: 1631  
Examiner: Michael L. Borin

SIR:

Attached hereto for filing are the following papers:

**FEE TRANSMITTAL  
AMENDMENT, INCLUDING ATTACHMENT (1)**

Our check in the amount of \$108.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP



Steven B. Kelber  
Attorney of Record  
Registration No.: 30,073

Christopher W. Raimund  
Registration No.: 47,258



## FEE TRANSMITTAL

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<b>FEE TRANSMITTAL</b>		Docket No.	7732-020-27 DIV
		Serial No.	09/665,077
		Filing Date	September 19, 2000
		Inventor(s)	Michael CLIMO et al.
		Group Art Unit	1631
<b>TOTAL AMOUNT OF PAYMENT</b>		\$108.00	Examiner
			Michael L. Borin

<input checked="" type="checkbox"/> Applicant claims small entity status. <input checked="" type="checkbox"/> Charge any <u>UNDERPAYMENT</u> or credit any <u>OVERPAYMENT</u> in the indicated fees to Deposit Account No. 50-1442. <input type="checkbox"/> Charge the indicated fees to Deposit Account No. 50-1442.								FEE CALCULATION (continued)									
								3. ADDITIONAL FEES									
								Large Entity	Small Entity	Fee Description							
2.	<input checked="" type="checkbox"/> Check enclosed.	Fee Code	Fee (\$)	Fee Code	Fee (\$)						Fee Paid						
<b>FEE CALCULATION</b>								1051	130	2051	65	Surcharge-late filing fee or oath					
<b>1. BASIC FILING FEE</b>								1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet					
Large Entity		Small Entity		Fee Description				1053	130	1053	130	Non-English specification					
Fee Code	Fee (\$)	Fee Code	Fee (\$)					Fee Paid	1812	2520	1812	2520	Ex parte reexam. fee				
1001	750	2001	375	Utility filing fee					1251	110	2251	55	1-mo. ext. of time				
1002	330	2002	165	Design filing fee					1252	410	2252	205	2-mo. ext. of time				
1003	520	2003	260	Plant filing fee					1253	930	2253	465	3-mo. ext. of time				
1004	750	2004	375	Reissue filing fee					1254	1450	2254	725	4-mo. ext. of time				
1005	160	2005	80	Provisional filing fee					1255	1970	2255	985	5-mo. ext. of time				
<b>SUBTOTAL (1)</b>								\$0.00	1401	320	2401	160	Notice of Appeal				
<b>2. EXTRA CLAIM FEES</b>									1402	320	2402	160	Appeal Brief				
tot. claims	32	-	20*	=	12	x	\$9	=	108	1403	280	2403	140	Request for Oral Hearing			
ind. claims	2	-	3*	=	0	x	\$42	=	0	1501	1300	2501	650	Utility/Reissue Issue Fee			
<input type="checkbox"/> Multiple Dependent Claims					\$140	=			1502	470	2502	235	Design Issue Fee				
Large Entity		Small Entity		Fee Description					1503	630	2503	315	Plant Issue Fee				
Fee Code	Fee (\$)	Fee Code	Fee (\$)						1460	130	1460	130	Petitions to the Commissioner				
1202	18	2202	9	Claims in excess of 20					1806	180	1806	180	IDS Submission				
1201	84	2201	42	Independent claims in excess of 3					8021	40	8021	40	Assignment				
1203	280	2203	140	Multiple dependent claim, if not paid					1801	750	2801	375	For Filing RCE				
1204	84	2204	42	*Reissue independent claims over original patent					1802	900	1802	900	Expedited Design				
1205	18	2205	9	*Reissue claims in excess of 20 and over original patent				OTHER (indicate below):									
<b>SUBTOTAL (2)</b>								\$108.00									
* or number previously paid, if greater; For Reissues, see above									<b>SUBTOTAL (3)</b>				\$0.00				

Name	Steven B. Kelber	Registration No.	30,073
Signature		Date	May 27, 2003
Name	Christopher W. Raimund	Registration No.	47,258

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6-5-03  
(NTE)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Michael CLIMO, et al.

ART UNIT: 1631

SERIAL NO.: 09/665,077

EXAMINER: Michael L. Borin

FILING DATE: September 19, 2000

FOR: COMPOSITIONS AND METHODS FOR TREATMENT OF  
STAPHYLOCOCCAL INFECTION WHILE SUPPRESSING FORMATION  
OF ANTIBIOTIC-RESISTANT STRAINS

**AMENDMENT**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Responsive to the outstanding Office Action dated February 24, 2003, entry of the following amendments is respectfully requested.

**IN THE CLAIMS**

Please cancel Claims 6, 7 and 18-24.

Please amend the claims as follows:

3. (Twice Amended) The method of Claim 29 [23], wherein [said] administration is achieved through any one or more of intravenous (IV), intramuscular (IM), subcutaneous (SC), intraperitoneal (IP), intrathecal or topical administration.

4. (Amended) The method of Claim 29 [3], wherein [said] administration is subcutaneous [SC], intraperitoneal [IP], intrathecal or topical.

5. (Amended) The method of Claim 29 [3], wherein [said] administration is either intravenous [IV] or intramuscular [IM].